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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,672	08/06/2002	Cheng-Shing Lai	IACP0017USA	5329

27765 7590 08/01/2006

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EXAMINER	
DE GRANO, BRIAN L	

ART UNIT	PAPER NUMBER
2632	

DATE MAILED: 08/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/064,672	LAI ET AL.	
	Examiner	Art Unit	
	Brian L. De Grano	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 August 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 August 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date [redacted]
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2 and 7-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Hollstrom et al. (US PG-PUB No. 2002/0041588 A1 hereinafter "Hollstrom et al").

With respect to claims 1, Hollstrom et al. discloses a method of transmitting voice data between a computer system and a GPRS card, the computer system and GPRS card connected over a Universal Serial Bus ([0019] and [0038]), the method comprising, after the computer system receives voice sounds, converting the voice sounds to a voice packet ([0012]). It is inherent that in order to transfer analog voice signals from one mobile phone to another, as described in Hollstrom et al., that the analog voice signals would have had to have been converted into voice packets first. Hollstrom et al. also discloses a method of sending the voice packet over USB to the GPRS card and using the GPRS card to convert the voice packet to a voice signal ([0019] and [0038]), and transmitting the signal away wirelessly ([0013]).

Claim 2 is the reverse transmit/receive method of claim 1 and is rejected using the same argument used to reject claim 1.

With respect to claims 7-8, Hollstrom discloses an antenna and GSM module for transmitting and receiving voice signals through the antenna ([0030]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollstrom et al. as applied to claim 1 above in view of Cupps et al (US PG-PUB No. 2002/0173344 hereinafter "Cupps et al.").

Hollstrom et al. discloses all the limitations of claim 3 except that a microphone could be used to record the voice sounds of a user.

Hollstrom et al. discloses all the limitations of claim 4 except that a speaker could be used to play the voice signals.

Cupps et al. teaches that a microphone could be used to record the voice sounds of a user and that a speaker could be used to play the voice signals ([0062] and [0067]).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to add the speaker and the microphone taught by Cupps et al. to the communications system disclosed in Hollstrom et al. so that a user could record voice sounds into the microphone and play them through the speakers.

The motivation for doing so would be to combine several desired consumer functionalities into one device (Cupps et al. [008] and [0009]).

Therefore it would have been obvious to combine Hollstrom et al. with Cupps et al. to obtain the invention as specified in claims 3-4.

Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollstrom et al. as applied to claim 1 above in view of Timis et al (US Patent No. 5,792,971 hereinafter "Timis et al.").

Hollstrom et al. discloses all the limitations of claim 5, except that the sound card can convert PCM voice data to voice sounds or PCM voice sounds to voice data.

Hollstrom et al. discloses all the limitations of claim 6 except that a CPU can convert PCM voice data to voice sounds or PCM voice sounds to voice data.

Timis et al. teaches a conversion technique used by a sound card or CPU that can handle audio/digital compression of data ([0007]) and that one of the data formats can be PCM ([0068]).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to add the conversion methods taught in Timis et al. to the communications system disclosed in Hollstrom et al. so that voice signals could be converted into PCM voice data and so that the PCM voice data could be converted back to an analog voice signal.

The motivation for doing so would be to allow for the editing of recorded and synthesized music with the ease of use of MIDI (Timis et al. – [0006] and [0021]).

Therefore it would have been obvious to combine Hollstrom et al. with Timis et al. to obtain the invention as specified in claims 5-6.

Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollstrom et al. in view of Rader et al (US Patent No. 6,944,474 hereinafter "Rader et al.").

Hollstrom et al. discloses all the limitations of claim 9, except that the GPRS card uses a CODEC to convert voice signals.

Hollstrom et al. discloses all the limitations of claim 10 except that a CPU converts voice data received from the CODEC.

Rader et al. teaches that a CODEC could be used to compress and decompress voice data and to convert analog voice signals to digital voice data (Figure 2 – Ref No. 204 and column 5, lines 6-10).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to add the CODEC taught in Rader et al. to the communications system disclosed in Hollstrom et al. so that voice signals could be converted into digital data and so that the digital voice data could be converted back to an analog voice signal.

The motivation for doing so would be to enhance the reception of mobile phone system audio by the user, accommodating personal hearing needs, personal choice, or optimization to the noise environment surrounding the user (Rader et al. – Col 2, lines 9-14).

Therefore it would have been obvious to combine Hollstrom et al. with Rader et al. to obtain the invention as specified in claims 9-10.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L. De Grano whose telephone number is 571-270-1138. The examiner can normally be reached on Monday through Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Susy Tsang-Foster can be reached on 571-272-1293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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